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6 Attorneys for Defendant
T-MOBILE USA, INC.
7

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 MILTON CARDOZA, on Behalf of Himself)
12 and Others Similarly Situated,)

13 Plaintiffs,)

14 v.)

15 T-MOBILE USA, INC.,)

16 Defendant.)
17

Case No.: CV08-5120 SC

STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME TO
RESPOND TO COMPLAINT

18 WHEREAS, Plaintiff filed his complaint in the above-titled action on November 10, 2008;

19 WHEREAS, Plaintiff served Defendant T-Mobile USA, Inc. ("T-Mobile") with the
20 complaint on December 2, 2008;

21 WHEREAS, T-Mobile currently has until December 22, 2008 to respond to the complaint;

22 WHEREAS, because of the upcoming holidays, defense counsel need additional time to
23 prepare responsive papers and plaintiffs' counsel have agreed to afford defense counsel such
24 additional time;

25 WHEREAS, this is T-Mobile's first request for an extension of time to respond to the
26 complaint filed in this matter; and

27 WHEREAS, the requested extension will not alter the date of any event or deadline already
28 fixed by Court order;

1 IT IS HEREBY STIPULATED AND AGREED among the parties, through their respective
2 counsel of record, pursuant to Local Rule 6-1(a), that the time for T-Mobile to move to dismiss,
3 answer, or otherwise respond to the complaint filed in this matter be extended to January 16, 2009.
4

5 Dated: December 19, 2008

DAVIS POLK & WARDWELL

6
7 By: /s/

Christopher B. Hockett
Christopher B. Hockett

8
9 Attorneys for Defendant T-Mobile

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11 Dated: December 18, 2008

LAW OFFICE OF PETER FREDMAN

12
13 By: /s/

Peter B. Fredman
Peter B. Fredman

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15 Attorneys for Plaintiff

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18 IT IS SO ORDERED.

19 Dated December 19, 2008

